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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,158	05/23/2002	Craig Abruzzo	6208-007US	8191
27383 7590 06/25/2008 CLIFFORD CHANCE US LLP 31 WEST 52ND STREET NEW YORK, NY 10019-6131			EXAMINER STORK, KYLE R	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/980,158

**Applicant(s)**

ABRUZZO ET AL.

**Examiner**

KYLE R. STORK

**Art Unit**

2178

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2.29.08</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This final office action is in response to the amendment filed 29 February 2008.
2. Claims 1-21 are pending. Claims 1 and 13 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 3-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Porter (US 6473892, filed 31 December 1998), in view of Ferrel et al. (US 5860073, filed 17 July 1995, hereafter Ferrel), and in further view of Smith et al. (US

6052693, filed 2 July 1996, hereafter Smith), and in further view of Tozzoli et al. (US 6151588, filed 9 February 1998, hereafter Tozzoli).

In regard to independent claim 1, Porter discloses an object-oriented system for assembling a document (Porter Abstract), the system comprising; a plurality of terms (Porter Col 5 Lines 21-25 i.e. words); a plurality of objects (Porter Col 7 Lines 19-27), and at least one of said plurality of objects including at least one of said plurality of terms (Porter Col 5 Lines 21-25 i.e. words); at least one of said conditions including at least one of said plurality of terms or a value of an object tag; and wherein the instruction comprises an action to be taken to assemble the document; and; wherein, when the condition of one of said plurality of grammar lines is true, then said instruction associated with said condition is executed thereby assembling at least a portion of said document by insertion of the object body. (Porter Col 5 Lines 21-25 i.e. words) (Porter Abstract)

Porter does not mention each of said plurality of objects including an object tag and an object body. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38.

Porter does not mention a plurality of grammar lines, each of said plurality of grammar lines including a condition and an instruction and all instructions needed for creating the document are contained in the grammar lines; when the condition of one of

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said plurality of grammar lines is true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens as taught by Smith Col 19 Lines 12-18.

Porter does not mention a transaction file comprising a plurality of terms comprising data descriptive of one or more financial transactions performed by a trading system. However, Tozzoli mentions a trading system that is used for financial transactions (Tozzoli Col 4 Lines 53 through Col 7 Line 65). It would have been obvious to one of ordinary skill in the art to apply Tozzoli to Porter, providing Porter the benefit of having a financial trading systems, which would assist a user in trading strategies.

In regard to dependent claim 3, Porter discloses wherein at least one of said plurality of objects includes the object body comprises a fixed text portion. (Porter Col 1 Lines 19-21)

In regard to dependent claim 4, Porter does not mention wherein at least one of said plurality of objects includes the object body comprises a visual image. However, Ferrel mentions wherein an object can be an image (Ferrel Col 7 Lines 60-62). ). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of having an object that is an image for the benefit of having several objects to choose from rather than text as taught by Ferrel Col 7 Lines 60-62.

In regard to dependent claim 5, Porter does not mention wherein said at least one instruction includes at least one of said object tags and executing said instruction includes inserting said object body associated with said at least one of said object tags into said document. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

In regard to dependent claim 6, Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag, said instruction includes at least one of said grammar tags and executing said instruction includes testing said condition associated with each of said plurality of grammar lines having said at least one of said grammar tags, and executing said instruction associated with said condition associated with one of said plurality of grammar lines having said at least one of said grammar tags if said condition is true.

However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply

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Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 7, Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag and at least two of said plurality of grammar lines have identical grammar tags. However, Smith mentions a tag research hit that is identical (Smith Col 31 Lines 62-67). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of identical tags for a different option for research hits for unification as taught by Col 31 Lines 38-67 and Col 32 Lines 1-5.

In regard to dependent claim 8, Porter does not specifically mention wherein said conditions of said at least two of said plurality of grammar lines are mutually exclusive. However, Smith mentions mutually exclusive values (Smith Col 14 Lines 63). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having mutually exclusive values important to the data entry step which involves taking a source document and placing it into an electronic document source as taught by Smith Col 14 Lines 48-67.

In regard to dependent claim 9, Porter discloses said instruction associated with said one of said at least two of said plurality of grammar lines including said default tag is executed.(Porter Abstract compiled and executed)

Porter does not mention wherein one of said at least two of said plurality of grammar lines includes a default tag. However, Ferrel mentions the story objects

themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control and Col 42 Lines 49 i.e. default). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Porter does not mention said condition of said one of said at least two of said plurality of grammar lines is always true or if said conditions of said remaining of said at least two of said plurality of grammar lines are not true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of true or False if certain conditions are met (Smith Col 10 Lines 38-40 and Col 14 Lines 14-15). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not specifically mention wherein said conditions of said at least two of said plurality of grammar lines are mutually exclusive. However, Smith mentions mutually exclusive values (Smith Col 14 Lines 63). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having mutually exclusive values important to the data entry step which involves taking a



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source document and placing it into an electronic document source as taught by Smith Col 14 Lines 48-67.

In regard to dependent claim 10, claim 10 reflects similar subject matter as claimed in claim 5 and is rejected along the same rationale

In regard to dependent claim 11, Porter discloses assembly of the document begins by executing said instruction .(Porter Abstract compiled and executed)

Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention where the grammar lines includes a <start> grammar tag. However, Ferrel mentions a process that begins with a start state (Ferrel Col 16 Lines 30-32). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of having a start tag or state so that there is a definite beginning the document publishing process as taught by Ferrel Col 16 Lines 30-37.

In regard to dependent claim 12, Porter discloses wherein the document is assembled when said instruction associated with one of said portion of said plurality of grammar lines is executed.(Porter Abstract compiled and executed)

Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37).. It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to independent claim 13, claim 13 in addition to the following reflects similar subject matter as claimed in claim 1 and is rejected along the same rationale. Further, Smith discloses testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true. (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 14, Porter discloses wherein at least one of said plurality of objects includes a fixed text portion.(Porter Col 1 Lines 19-21)

Porter does not mention wherein said at least one instruction includes at least one of said object tags and executing said instruction.. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and

displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Porter does not mention inserting into said document said at least one of said plurality of objects including a fixed text portion associated with said at least one of said object tags. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art to apply Ferrel to Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

In regard to dependent claim 15, Porter discloses, testing said condition of each of said plurality of grammar lines having said at least one of said grammar tags; and executing said instruction associated with said condition associated with said at least one of said grammar tags if said condition is true.

Porter does not mention wherein each of said plurality of grammar lines includes a grammar tag, said instruction includes at least one of said grammar tags.. However, Ferrel mentions the story objects themselves having formatting tags (Ferrel Col 19 Lines 44-51 and Col 31 Lines 7-11 i.e. styles corresponding to tags and inserted into the control). It would have been obvious to one of ordinary skill in the art to apply Ferrel to

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Porter, providing Porter the benefit of including object tags to identify a portion of the content and displaying the content as taught by Ferrel Col 3 Lines 32-38 and to inserting into the control so the system begins recurring up through node to node wherein it determines that more children exist as taught by Ferrel Col 31 Lines 7-21.

Smith mentions testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 16, claim 16 reflects similar subject matter as claimed in claim 7 and is rejected along the same rationale

In regard to dependent claim 17, claim 17 reflects similar subject matter as claimed in claim 8 and is rejected along the same rationale

In regard to dependent claim 18, Claim 18 in addition to the following reflects similar subject matter claimed in claim 9 and is rejected along the same rationale.

testing said condition of one of said plurality of grammar lines and executing said instruction associated with said condition if said condition is true (Smith Col 10 Lines 41-43) (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention default tag if said condition of each of said remaining of said at least two of said plurality of grammar lines is not true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of true or False if certain conditions are met (Smith Col 10 Lines 38-40 and Col 14 Lines 14-15). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 19, Porter does not mention where the portion being executed is a plurality of grammar lines. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). It would have been obvious to one of ordinary skill in the art the apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

Porter does not mention where the grammar lines includes a <start> grammar tag. However, Ferrel mentions a process that begins with a start state (Ferrel Col 16 Lines 30-32). It would have been obvious to one of ordinary skill in the art the apply Ferrel to Porter, providing Porter the benefit of having a start tag or state so that there is a definite beginning the document publishing process as taught by Ferrel Col 16 Lines 30-37.

Porter does not mention grammar lines with a condition of true. However, Smith mentions a set of grammar rules and word lists (Smith Col 16 Lines 33-37). Smith also mentions a return of True if certain conditions are met (Smith Col 10 Lines 38-40). Smith also mentions a Test condition that is performed (Smith Col 10 Lines 41-43). It would have been obvious to one of ordinary skill in the art to apply Smith to Porter, providing Porter the benefit of having grammar rules so text that have several words can appear in a single quoted string and can be divided into tokens and tested as taught by Smith Col 19 Lines 12-18.

In regard to dependent claim 20, claim 20 reflects similar subject matter as claimed in claim 12 and is rejected along the same rationale

6. Claims 2 and 21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Porter, Ferrel, Smith, Tozzoli, and in further view of Atkins (US 5875437, filed 15 April 1997).

In regard to dependent claim 2, Porter does not mention wherein at least one of said plurality of terms includes an economic term associated with a financial transaction and said document is a confirmation of said transaction.. However, Atkins mentions a word processor function (which uses words and terms) for a financial transaction for a SmartWallet or SmartPurse (Atkins Col 60 Lines 26-43). Also Atkins mentions a financial function to verify and confirm transactions (Atkins Col 60 Lines 13-16). It would have been obvious to one of ordinary skill in the art to apply Atkins to Porter, providing Porter the benefit of having a word processor application the use economic

terms to section functions such as application database functions and financial functions to verify transactions as taught by Atkins Col 60 Lines 12- 17 and 26-43.

In regard to dependent claim 21, claim 21 reflects similar subject matter as claimed in claim 2 and is rejected along the same rationale.

### ***Response to Arguments***

7. Applicant's arguments filed 29 February 2008 have been considered but they are not persuasive.

The applicant's initial argument is based upon the belief that Porter fails to disclose an object as claimed (page 9). This is based upon Porter failing to disclose the object comprising an object tag (page 9). While the examiner recognizes that Porter fails to disclose the object comprising an object tag, Porter teaches objects (column 7, lines 19-27). Based upon the failure of Porter to disclose tagging of this object data, the examiner includes the Ferrel reference. Ferrel discloses tagging of object data (column 3, lines 7-15). Therefore, it would have been obvious to one of ordinary skill in the art to combine Ferrel's tagging of object data with Porter's use of object data, thereby allowing for identification of object data (Ferrel: column 3, lines 32-38).

The applicant further argues that neither Ferrel nor Porter provide a suggestion of how to functionally integrate Ferrel into Porter. However, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined

teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). As the examiner stated above, it would have been obvious to one of ordinary skill in the art to combine Ferrel's tagging of object data with Porter's use of object data, thereby allowing for identification of object data (Ferrel: column 3, lines 32-38).

The applicant argues that the prior art of record fails to disclose terms (page 10). As an initial matter, the applicant's claim states, "wherein the value of, at least one of said conditions is true based upon the data comprising **at least one of** said plurality of terms **or** a value of an object tag (claim 1, lines 11-12; emphasis added)." Therefore, the claim does not require a term to be disclosed. Instead, either a term or a value of an object tag may be taught. In this instance, Porter discloses values (words) of an object (column 5, lines 21-25). However, the examiner has added the Tozzoli reference for the disclosure of financial terms (column 4, line 53- column 7, line 65). Therefore, this argument is not persuasive.

Further, the applicant argues that Tozzoli and Porter are non-analogous art (page 11). The examiner respectfully disagrees. As the applicant points out, "a reference in a field different from that of the applicant's endeavor may be reasonably pertinent if it is one which, because of the matter from which it deals, logically would have commended itself to an inventor's attention in considering his or her invention as a whole (MPEP 2441.01(a))." Tozzoli discloses the use of financial transactions while Porter discloses the use of objects. One attempting to create financial objects would have recognized Porter's use of objects and Tozzoli's use of financial terms are related



to solving the proposed problem. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined the two.

The applicant further argues that the examiner's reasons for combining the references are different than those of the applicant (page 13). However, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

The applicant arguments presented on pages 12-24 are substantially similar to those presented on pages 8-14. These arguments are not persuasive for the reasons above.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyle R Stork  
Examiner  
Art Unit 2178

/Stephen S. Hong/  
Supervisory Patent Examiner, Art  
Unit 2178

krs